

JOYCE (CAMP) McDERMOT,

Plaintiff,

vs.

CAROL DAVIS, BOTH PERSONALLY, AND IN HER
OFFICIAL CAPACITY AS TANEY COUNTY PUBLIC
ADMINISTRATOR,

Defendants.

Pursuant to the court's order of March 27th, 2019, plaintiff Joyce McDermot makes this report concerning the state court proceedings through which plaintiff has sought to recover assets of the Hilderbrand Trust.

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- In *McDermot v. Doner*, plaintiff seeks to recover the assets of the Barbara Hilderbrand Trust through an award of money damages, tracing and the imposition of constructive trusts.

There is no activity in any other state court proceeding.

ON THE QUESTION OF WHETHER THE FEDERAL CASE SHOULD CONTINUE TO BE STAYED – plaintiff submits that it is reasonable to continue to stay the Federal case (6:17-cv-3044) until the state case *McDermot v. Doner* has been tried.

The trial date is June 18th, 2019.

The resolution of the state case will help define plaintiff's rights under Missouri law, as well as, the extent to which plaintiff has been damaged. For example, if the bulk of the trust *res* is recovered via state court proceedings, this reduces plaintiff's Federal damages claim.

For these reasons, plaintiff submits that the Federal case (6:17-cv-3044) should continue to be stayed until Judge Carrier has entered a judgment in the underlying case *McDermot v. Doner*, Circuit Court of Lawrence County, 17LW-CC000002.

Respectfully submitted,

/s/ Timothy Davis

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CERTIFICATE OF SERVICE

The foregoing document was served on all counsel of record this 27th day of March 2019 by filing with the CM/ECF system of the United States District Court for the Western District of Missouri, which caused an electronic copy of the document to be sent to them via email.

/s/ Timothy Davis

Timothy Davis, Esq. # 57050